

**PALMER TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA  
RESOLUTION #2023 – 15**

**ESTABLISHING A SEWER TAPPING FEE SCHEDULE**

*WHEREAS*, the Township has enacted Ordinance No. 107 requiring all owners of improved properties located within the Township abutting or accessible to the Sewer System to connect with and use the Sewer System (hereinafter referred to as the "Connection Ordinance"); and

*WHEREAS*, the Township has heretofore, on December 3, 1970, enacted Ordinance No. 108 concerning sewer rentals and charges for the use of the Sewer System; and

*WHEREAS*, the Township has from time to time amended, supplemented, or modified Ordinance No. 108 (Ordinance No. 108, as amended, supplemented, or modified from time to time is hereinafter referred to as the "Rate Ordinance"); and

*WHEREAS*, the Township directed its sewer engineer, Entech Engineering, Inc., to undertake a study following the requirements of the Authorities Act, as amended by Act 203 as amended or supplanted, to develop the necessary data and determine the permissible limits for each component of the tapping fee for which the Township may impose under said Act. This completed tapping fee rate study is entitled "*Calculation of the Tapping Fee for the Sanitary Sewer System in Accordance with PA Act 57 of 2003, dated May 19, 2023*". Based on that study, the Township is allowed to charge:

- The actual cost for the connection fee and customer facilities fee components of the tapping fee on all connections.
- Up to \$4,576.09 per EDU for the capacity part tapping fee (split at \$1,832.67 for conveyance capacity part tapping fee and \$2,743.42 per EDU for EAJSA facilities capacity component tapping fee), charged on all connections using Palmer's conveyance and treatment capacity.
  - The capacity part tapping fee shall be only up to \$1,832.67 per EDU for those connections using only Palmer's conveyance capacity.
- Up to \$2,760.46 per EDU for the collection part tapping fee charged on all connections.
- Up to \$642.98 per EDU for the special purpose part tapping fee charged to all direct or indirect connections to the Shoeneck Creek Interceptor.

*WHEREAS*, based on that study mentioned above, the Township, at its meeting on June 19, 2023, approved a motion for the solicitor to prepare this resolution setting:

- The actual cost for the connection fee and customer facilities fee components of the tapping fee be charged on all connections.
- \$4,575.00 per EDU for the capacity part tapping fee (split at \$1,832.00 for conveyance capacity part tapping fee and \$2,743.00 per EDU for EAJSA facilities capacity component

tapping fee), charged on all connections using Palmer's conveyance and treatment capacity.

- The capacity part tapping fee shall be only up to \$1,832.00 per EDU for those connections using only Palmer's conveyance capacity.
- \$2,760.00 per EDU for the collection part tapping fee charged on all connections.
- \$642.00 per EDU for the special purpose part tapping fee charged to all direct or indirect connections to the Shoeneck Creek Interceptor.

**NOW, THEREFORE, BE IT RESOLVED** by the Palmer Township Board of Supervisors as follows:

**Section 1.** For this Resolution, specific terms, phrases, and words are defined as follows:

COMMERCIAL ESTABLISHMENT - Any structure or any portion thereof intended to be used wholly or in part to carry on a trade, business, or profession or for social, amusement, religious, educational, charitable, or public uses, and which contains plumbing for kitchens or toilets, washing facilities, and processing, excluding Dwelling Units and Industrial Establishments, and which establishment is connected directly or indirectly to the Sewer System.

DWELLING UNIT - Any room, group of rooms, mobile home, building, apartment, condominium, townhouse, living unit, or other enclosure connected, directly or indirectly, to the Sewer System and occupied or intended for occupancy as a separate living quarter by a Person or Persons or a family or any other group of Persons living together or by a Person or Persons living alone.

EQUIVALENT DWELLING UNIT (EDU) - (a) Dwelling Unit, and (b) that part of a Commercial Establishment, Industrial Establishment, or other Improved Property that does not fall under the definition of Dwelling Unit that is equal to 226.8 gallons per day (gpd) of actual or estimated wastewater flow. The estimated wastewater flow generated by the average Dwelling Unit in Palmer Township is 226.8 gpd based on the average household size of 2.52 people per household multiplied by 90 gallons per capita per day as outlined in PA Act 57 of 2003.

IMPROVED PROPERTY - Any property upon which there is erected a structure intended or used for continuous or periodic habitation, occupancy for any purpose whatsoever, or use for any purpose whatsoever, by human beings or animals, from which sanitary wastes or wastes in addition to or other than Sanitary Sewage is discharged and is connected directly or indirectly to the Sewer System.

INDUSTRIAL ESTABLISHMENT - Any room, group of rooms, building, or other enclosure connected, directly or indirectly, to the Sewer System and used or intended for use, in whole or in part, in the operation of an enterprise for manufacturing, fabricating, processing, cleaning, laundering, or assembling any product, commodity or article.

INDUSTRIAL OR COMMERCIAL WASTE - All wastes discharged from Industrial or Commercial Establishments into the Sewage System other than Sanitary Sewage.

OWNER - Any Person vested with the ownership, legal or equitable, sole or partial, of any Improved Property, Dwelling Unit, or Industrial Establishment or Commercial Establishment.

PERSON - Any individual, partnership, estate, trust, firm, association, corporation, municipality, municipality authority, school district, or any other group or legally recognized entity.

SANITARY SEWAGE - The typical water-carried household and toilet wastes discharged from any Improved Property Dwelling Unit, Commercial or Industrial Establishment.

TAPPING FEE - A fee imposed under the authority of the Authorities Act to enable the recovery of the costs of specific future proposed projects and the Township's equity in the existing Sewer System. A tapping fee shall be considered the fee referred to and defined as a "tapping fee" in the Authorities Act 57 of 2003 as amended.

TOWNSHIP - The Township of Palmer, Northampton County, Pennsylvania.

**Section 2.** No Person shall connect any Dwelling Unit, Improved Property, Commercial Establishment, Industrial Establishment, or any other facility to the Sewer System without first entering into a sewer service agreement, applying for, and securing a permit, in writing, from the Township. Such application shall be made on a form to be provided by the Township.

**Section 3.** A Tapping Fee of this Resolution is imposed upon and is to be charged to and paid by the Owner of each Dwelling Unit, Improved Property, Commercial Establishment, Industrial Establishment, and any other facility hereafter described who or which shall physically connect its or their property to the Sewer System, whether such use shall be direct or indirect, and subject further to the conditions stated within this Resolution.

**Section 4.** The development and determination of the tapping fee herein are based on financial information and data prepared by the Township Sewer Engineer and presented to the Township at or before the date of the adoption of this Resolution. Copies of the same were made available to the public at the meeting at which this Resolution was adopted.

**Section 5.** The approved tapping fee is summarized in the following tables:

**[Remainder of Page Left Intentionally Blank]**

TABLE 1

**TOTAL TAPPING FEE PER EDU WITHOUT EAJSA PORTION OF CAPACITY / SPECIAL PURPOSE (SHOENECK CREEK INTERCEPTOR)**

Connection Fee	Actual Cost
Customer Facilities Fee	Actual Cost
Tapping Fee – Per EDU	
- Capacity Part – Palmer Portion	\$1,832.00
- Collection Part	\$2,760.00
<b>TOTAL PER EDU</b>	<b>\$4,592.00</b>

TABLE 2

**TOTAL TAPPING FEE PER EDU WITHOUT EAJSA PORTION OF CAPACITY BUT WITH SPECIAL PURPOSE (SHOENECK CREEK INTERCEPTOR)**

Connection Fee	Actual Cost
Customer Facilities Fee	Actual Cost
Tapping Fee – Per EDU	
- Capacity Part – Palmer Portion	\$1,832.00
- Special Purpose Part	\$642.00
- Collection Part	\$2,760.00
<b>TOTAL PER EDU</b>	<b>\$5,234.00</b>

TABLE 3

**TOTAL TAPPING FEE PER EDU WITH EAJSA PORTION OF CAPACITY BUT WITHOUT SPECIAL PURPOSE (SHOENECK CREEK INTERCEPTOR)**

Connection Fee	Actual Cost
Customer Facilities Fee	Actual Cost
Tapping Fee – Per EDU	
- Capacity Part – Palmer Portion	\$1,832.00
- Capacity Part – EAJSA Portion	\$2,743.00
- Collection Part	\$2,760.00
<b>TOTAL PER EDU</b>	<b>\$7,335.00</b>

**TABLE 4**

**TOTAL TAPPING FEE PER EDU WITH EAJSA PORTION OF CAPACITY / SPECIAL PURPOSE (SHOENECK CREEK INTERCEPTOR)**

Connection Fee	Actual Cost
Customer Facilities Fee	Actual Cost
Tapping Fee – Per EDU	
- Capacity Part – Palmer Portion	\$1,832.00
- Capacity Part – EAJSA Portion	\$2,743.00
- Special Purpose Part	\$642.00
- Collection Part	\$2,760.00
<b>TOTAL PER EDU</b>	<b>\$7,977.00</b>

A. The Township shall determine the number of EDUs by one of the following methods:

(a) See the definition of Equivalent Dwelling Unit (EDU). For a Commercial Establishment, Industrial Establishment, or other Improved Property that does not fall under the Dwelling Unit, divide the actual or estimated wastewater flow (in gallons per day) by 226.8 gpd to determine the number of EDUs. The wastewater flow shall be determined using at least 12 months of metered water usage data for the Improved Property or other similar property or using estimated flows generated by the developer's engineer for PADEP planning purposes and approved by the Township or the Township's sewer engineer.

(b) In the absence of actual or estimated wastewater flows, the Township shall generally use the following Schedule of EDUs:

**SCHEDULE OF EDU VALUES**

**Property to be Connected.**

(a) Each private dwelling unit or EDU/Unit living unit (including each home, townhouse, condominium unit, or apartment unit)	1 EDU / Unit
(b) Beauty shop	1 EDU / 2 Chairs
(c) Each church	1 EDU / Connection
(d) Each retail store	1 EDU / 3,500 sq. ft.
(e) Each strip mall, strip plaza, or shopping mall, whether enclosed or not, consisting of two (2) or more connected units, in lieu of separate calculations for retail stores, restaurants, offices, and any other uses, but excluding	1 EDU / 2,200 sq. ft.

laundromats, which shall be calculated separately	
(f) Each office, office building, or portion of a building used for business and/or professional offices (excluding Doctor's and Dentist's offices, for which additional tapping fees will be charged following this schedule	1 EDU / 3,500 sq. ft.
(g) Each warehouse, in addition to office space	1 EDU / 25,000 sq. ft.
(h) Each industrial establishment, excluding process waste	1 EDU / 3,500 sq. ft.
(i) Each Doctor's office	1 EDU / 2 examining rooms
(j) Each Dentist's office	1 EDU / 3 dental chairs
(k) Each retail service station.	1 EDU / Connection
(l) Car washing facilities: - w/o wash water recycling equipment - with wash water recycling equipment	Each bay / 6 EDUs Each bay / 4 EDUs
(m) Each hotel or motel, in addition to a restaurant or bar.	1 EDU/ 3 rooms
(n) Each restaurant, barroom, or other commercial establishments (not otherwise classified herein) which regularly dispenses food and/or beverages.	1 EDU / 15 seats
(o) Each banquet room (room not USED for the general restaurant trade, but used for group functions).	1 EDU / 50 seats
(p) Hospital	1 EDU / 1.5 beds
(q) Rest homes, nursing homes	1 EDU / 2.5 beds
(r) Funeral homes	1 EDU / 2 Viewing Rooms
(s) Each public or private day school	1 EDU/ 15 teachers, employees & pupils
(t) Each boarding school	1 EDU/ 3 pupils
(u) Each daycare school	1 EDU/ 20 teachers, employees & pupils
(v) Self-service laundromat	1 EDU/ 2 Machines
(w) Theaters	1 EDU/ 100 seats
(x) Bowling alleys, in addition to restaurant facilities	1 EDU/ 5 alleys
(y) Industrial process waste, cooling water, or any water or wastewater discharge other than Sanitary Sewage gpd (average daily flow)	1 EDU/ 226.8 gpd
(z) Any other use not classified above	To be determined by the Township

**Section 6.** The minimum number of EDUs for each connection shall be one, and each fraction of an EDU shall be rounded to the next highest EDU to calculate the tapping fee.

**Section 7.** In case of a combination of one or more Dwelling Units, each thereof having use of the Sewer System through one sewer connection, then each such Dwelling Unit shall be charged the fee herein provided as though each Dwelling Unit had a direct and separate connection to the

Sewer System. Each Dwelling Unit in a double house, row or connecting houses, and in a trailer park or mobile home park shall be considered a separate entity to calculate the Tapping Fee. In the case of apartment buildings or condominiums, each apartment unit and each condominium unit shall be regarded as a Dwelling Unit. One Tapping Fee shall be paid for each Dwelling Unit within the apartment building or condominium but paid by the Owner of the apartment building or condominium, as distinguished from the apartment unit or condominium unit owner.

**Section 8.** Where two or more buildings or structures are connected to the Sewer System through a single service connection or where two or more uses are made of the same Improved Property (i.e., motel with a restaurant, retail store with a restaurant, home with a professional office, etc.), the Tapping fee determination shall be computed as though such building and each type of use were separate Improved Properties or use with separate sewer connections.

**Section 9.** Where any building connected to the Sewer System shall be converted, enlarged, or remodeled, or additional buildings shall be constructed on a property and connected indirectly to the Sewer System through an existing lateral or connected directly through a new lateral to create or change the use or establish more extensive use or additional uses, an additional Tapping Fee in accordance with Section 5, for each such additional use, shall be payable to the Township by the Owner of the property so improved.

**Section 10.** Where square footage is used to determine Tapping Fee EDU values, the gross floor area of the building, including the total of each floor and basement, shall be used.

**Section 11(a).** The Owner of any building or property connected to the Sewer System shall be entitled to discharge a maximum of 226.8 gallons per day (gpd) of water or wastewater into the Sewer System per EDU Value for the use made of the Sewer System, in accordance with the schedule provided in Section 5. The Township shall determine the amount of discharge based on the records of the water supplier for the subject property. If a well serves the property, a well meter must be installed, subject to Township specifications and approvals, at the Owner's expense. The meter's accuracy shall be determined and maintained under Township ordinances and regulations for sewer rental purposes.

**Section 11(b).** For properties consisting of but one (1) connection to serve more than one (1) user, use, Owner, tenant, subtenant, office, industrial or commercial establishment, professional office, or restaurant, the allocation of reserved capacity shall be for the entire premises irrespective of the number of units served by the single connection.

**Section 11(c).** If at the end of any year, the volume of water consumed, or wastewater discharged for any property exceeds the above-mentioned reserved allocated capacity for any Owner. In that case, the Owner shall pay an additional Tapping Fee for the excess discharge over the reserved allocated capacity for that property. Upon payment of the additional Tapping Fee, the Township shall adjust the Tapping Fee EDU value of the property on its records. Once a Tapping Fee has been paid, it will not be decreased, and no refunds will be made for wastewater discharges less than the allowable.

**Section 12.** In order that the Township may verify the adequacy of the Tapping Fees imposed on any building connected to the Sewer System, each building so connected or to be connected must

utilize one or more properly functioning water meters to determine, always, the total volume of water usage. Meters installed on the public water supply must conform to the requirements of the water supplier. Meters installed on the private water supply must be provided, installed, and maintained by the property Owner and acceptable to the Township.

**Section 13.** The Tapping Fee shall be due and payable at the time the Sewer Service Agreement is signed; or the application is made to the Township to make any such connection to the Sewer System; or at the time the application is made to the Township for a building permit, whichever occurs first.

For properties required to connect pursuant to the provisions of the Connection Ordinance, as amended, the Tapping Fee shall be due and payable at the earlier of: 1) The date when the Township shall connect or order the property Owner to connect any such Improved Property, Dwelling Unit, Commercial or Industrial Establishment or other facility intended or required to connect to the Sewer System at the cost and expense of the Owner when such Owner shall have failed to make such connection as required by the Township; or 2) When the use of the property is changed to a more intensive water or wastewater usage or when the water or wastewater usage of said property exceeds the allocated capacity outlined in this Resolution.

**Section 14.** Should any Owner of any Dwelling Unit, Improved Property, Commercial Establishment, Industrial Establishment, or any other facility herein described which heretofore connected to the Sewer System or hereinafter connected to the Sewer System expand or change the use of said property, a Tapping Fee, calculated in the manner set forth herein, is hereby imposed upon the expanded portion of such property or the changed use.

**Section 15.** All Tapping Fees shall be payable to the Township, or such officer or representative of the Township as shall be authorized, from time to time, to accept payment thereof.

**Section 16.** The Township shall enforce payment of Tapping Fees charged by this Township pursuant to this Resolution in any manner appropriate under the laws at the time in effect, including but not limited to liens on the property, reducing the lien to judgment and execution, and action to shut off the water of the delinquent.

**Section 17.** The Tapping Fees imposed hereunder shall be in addition to any fees or charges imposed by the Township Connection Ordinance aforesaid, as amended, or Township Rate Ordinance, as amended, or any other fees or charges fixed or imposed by the Township or authorized by the Municipal Authorities Act of No. 57, as amended.

**Section 18.** This Resolution supersedes all prior Tapping Fee resolutions adopted by this Township, which previous resolutions are declared null and void after the adoption of this Resolution.

**Section 19.** The Township reserves the right, from time to time, to adopt modifications of, supplements to, or amendments to this Resolution.

**Section 20.** This Resolution shall become effective immediately upon the date of adoption.

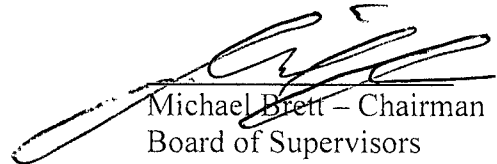


**Section 21.** The provisions of this Resolution are severable, and if any section, sentence, clause, part, or provision hereof shall be held to be illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Resolution. It is hereby declared to be the intent of the Board that this Resolution would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

**Section 22.** All resolutions or parts of resolutions insofar as they are inconsistent herewith are hereby rescinded effective.

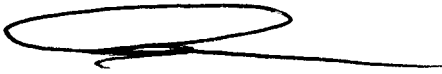
**SO RESOLVED AND ENACTED, this 19th day of June 2023.**

**Palmer Township**



Michael Brett – Chairman  
Board of Supervisors

**Attest:**



Robert A. Williams  
Township Manager / Secretary